

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA
V.Cesar Guadalupe Rodriguez PRINCIPAL
YOB: 1973

United States

CRIMINAL COMPLAINT

Case Number:

M- 19- 2417 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 5, 2019 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Yan Ye-Hun and Mei Lin Zhang, citizens and nationals of China, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport, said aliens in furtherance of such violation of law within the United States, that is, from a location near La Grulla, Texas to the point of arrest near La Grulla, Texas, by means of a motor vehicle,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On October 5, 2019 at approximately 3:20 p.m., Rio Grande City Border Patrol Station dispatched information from a concerned citizen regarding several suspected illegal aliens running through the La Grulla, Texas cemetery. The cemetery is located within a neighborhood, approximately two (2) miles north of the Rio Grande River. Illegal aliens typically attempt to conceal themselves in between the houses in this residential area and await a vehicle to arrive and transport them to their next destination point.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes No

Signature of Complainant

Approved by Amy L. Greenbaum 10/7/19

Sworn to before me and subscribed in my presence,

October 7, 2019 — 9:45 a.m.
Date

Maria Guerrero Border Patrol Agent

Printed Name of Complainant

at McAllen, Texas
City and StateJuan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-2417 -M

RE: Cesar Guadalupe Rodriguez

CONTINUATION:

Due to the provided information, Agents responded to the area to further investigate. Upon arriving, Agents observed a black sedan abruptly reverse from the property in which the concerned citizen reported. Based on the location and given information, Agents suspected the vehicle may be involved in illegal activity and approached the black sedan. The black sedan quickly drove into a separate property driveway and parked. Agents then observed a heavy set male wearing shorts, a muscle shirt, and sandals promptly exit the driver's side door. The subject proceeded to run behind the house in an effort to elude the Agents on scene. One Agent followed behind the house and was able to apprehend the subject without incident. The subject was identified as Cesar Guadalupe Rodriguez and claimed to be a United States citizen. A search of the black sedan resulted in the apprehension of three subjects of Asian descent which were found in the rear passenger seats. The three subjects did not have any documentation proving citizenship and were also taken into custody. All of the subjects were subsequently transported to the Rio Grande City Station for processing.

Principal Statement:

Cesar Guadalupe Rodriguez claimed to be a United States Citizen. Rodriguez was read his Miranda Rights and agreed to answer questions without the presence of an attorney.

Rodriguez stated that he was driving by the La Grulla, Texas cemetery in his black Impala when he heard a whistle. Rodriguez stated he stopped his vehicle and several subjects jumped into his vehicle. Rodriguez further stated he knew the subjects were not from the United States and it was wrong and illegal. Rodriguez claimed he was not getting paid by anyone and that the subjects just got inside his vehicle. Rodriguez also claimed he has been apprehended before by Border Patrol for having one illegal alien in his vehicle.

Material Witness Statement 1:

Yan Ye-Hun was interviewed by a Border Patrol Agent in the mandarin language. Ye-Hun was read her Mirand Rights and agreed to answer questions without the presence of an attorney.

Ye-Hun stated she is a citizen of China. Ye-Hun stated an unknown smuggler in China made her smuggling arrangements and coordinated an unknown smuggling fee to be paid upon her arrival in the United States. Ye-Hun stated she flew from China to Mexico and was instructed to hold up a newspaper once she arrived at the Mexico airport. An unknown smuggler picked her up and transported her to an unknown location. Ye-Hun stated a guide crossed her and three (3) other subjects into the United States. They were instructed to walk and once they arrived to a road, there would be a black sedan waiting to pick them up. Ye-Hun stated the driver of the black sedan saw them and made waving gestures for them to get inside the vehicle. Ye-Hun described the driver as a heavy set male with a beard and facial hair.

Ye-Hun, identified Rodriguez, through a photo lineup, as the driver of the black sedan that picked them up.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

Material Witness Statement 2:

Mei Lin Zhang was also interviewed by a Border Patrol Agent in the mandarin language. Lin Zhang was read her Miranda Rights and agreed to answer questions without the presence of an attorney.

Lin Zhang stated she is a citizen of China. Lin Zhang stated that she made smuggling arrangements in China with an unknown smuggler and paid him \$10,300 in installments for several months, to be smuggled into the United States. Lin Zhang stated she flew from China to Mexico. She further stated a guide crossed her along with four (4) other subjects into the United States and that another guide led them to a road. Lin Zhang stated they were instructed to wait for a vehicle that would be stopping nearby and a person would instruct them to get inside the vehicle. Lin Zhang stated shortly thereafter, a black sedan stopped near them and that the driver of the black sedan made waving gestures to them to get inside his vehicle. Lin Zhang stated the driver of the black sedan began to drive off. Lin Zhang described the driver of the black sedan as a large male.

Lin Zhang, identified Rodriguez, through a photo lineup, as the driver of the black sedan that picked them up.